



DECLARATION AND POWER OF ATTORNEY

As the below named inventors, we hereby declare that:

Our residence and post office addresses and our citizenships are as stated below next to our names.

We believe that we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled TISSUE SPECIMEN ISOLATING AND DAMAGING DEVICE AND METHOD, the specification of which was filed with the United States Patent and Trademark Office on January 13, 2004, and assigned Serial No. 10/756,178.

This application in part discloses and claims subject matter disclosed in earlier filed U.S. applications pending at the time of filing the present application : Serial No. 09/057,303, filed April 8, 1998, now U.S. Patent No. 6,331,166; Serial No. 09/146,185, filed September 1, 1998, now U.S. Patent No. 6,540,693; Serial No. 09/159,467, filed September 23, 1998, now U.S. Patent No. 6,261,241; Serial No. 09/208,535, filed December 9, 1998, now U.S. Patent No. 6,344,036; Serial No. 09/238,965, filed January 27, 1999, now U.S. Patent No. 6,659,105; Serial No. 09/884,349, filed June 18, 2001.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by or any amendment(s) referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

We hereby claim foreign priority benefits under Title 35, United States Code §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed: None

We hereby claim the benefit under Title 35, United States Code, §119(e) and §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. Application Serial No. 09/057,303, filed April 8, 1998, now U.S. Patent No. 6,331,166

U.S. Application Serial No. 09/146,185, filed September 1, 1998, now
U.S. Patent No. 6,540,693

U.S. Application Serial No. 09/159,467, filed September 23, 1998, now
U.S. Patent No. 6,261,241

U.S. Application Serial No. 09/208,535, filed December 9, 1998, now
U.S. Patent No. 6,344,026

U.S. Application Serial No. 09/238,965, filed January 27, 1999, now
U.S. Patent No. 6,659,105

U.S. Application Serial No. 09/884, 349, filed June 18, 2001.

We hereby declare under penalty of perjury under the laws of the United States of America that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint the following attorney to prosecute and transact all business in the Patent and Trademark Office connected therewith:

Edward J. Lynch, Reg. No. 24,422

of the firm

Duane Morris

One Market

Spear Tower, Suite 2000

San Francisco, CA 94105

(415) 371-2267

Power is also appointed to the following attorneys:

<u>Attorney/Agent</u>	<u>Reg. No.</u>	<u>Attorney/Agent</u>	<u>Reg. No.</u>
Samuel W. Apicelli	36,427	L. Howard Chen	44,615
Gary D. Colby	40,961	Mark C. Comtois	46,285
Peter J. Cronk	32,021	D. Joseph English	42,514
Carl A. Giordano	41,780	Melanie Goddard	46,732
Lewis F. Gould, Jr.	25,057	Stephan P. Gribok	29,643
Edward J. Howard	42,670	Edward J. Lynch	24,422
Gerry K. Kita	24,125	Steven E. Koffs	37,163

Won Joon Kouh.	42,763	L. Lawton Rogers, III	24,302
Gary Maze	42,851	Patrick D. McPherson	46,255
Patrick C. Muldoon	47,343	William H. Murray	27,218
Richard A. Paikoff	34,892	Arthur L. Plevy	24,277
Joseph A. Powers	47,006	Richard Redano	32,292
Robert E. Rosenthal	33,450	Paul A. Schwarz	37,577

of the firm

DUANE MORRIS LLP
One Market
Spear Tower, Suite 2000
San Francisco, CA 94105
(415) 371-2200

and

GEORGE M. COOPER, Registration No. 20,201
ERIC S. SPECTOR, Registration No. 22,495
FELIX J. D'AMBROSIO, Registration No. 25,721
DOUGLAS R. HANSCOM, Registration No. 26,600
JIM W. HELLWEGE, Registration No. 28,808
WILLIAM A. BLAKE, Registration No. 30,548
COLIN D. BARNITZ, Registration No. 35,061
JENNIFER P. YANCY, Registration No. 47,003
ALEXANDER D. RARING, Registration No. 52,502

of the firm:

JONES, TULLAR & COOPER, P.C.
2001 Jefferson Davis Highway
Box 2266, EADS Station
Arlington, VA 22202
(703) 415-1500

Address all correspondence and direct all telephone calls to:

Edward J. Lynch

Full name of First and Joint Inventor: Fred Burbank
Executed on 2nd day of June, ~~19~~ 2004

Inventor's Signature:

Residence:

Citizenship:

Post Office Address: (same)

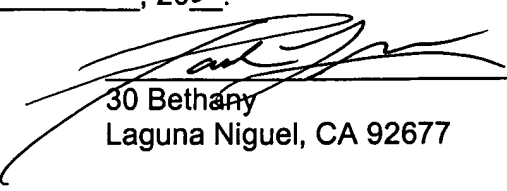
Fred Burbank
12 Old Ranch Road
Laguna Niguel, CA 92677
U.S.

Full name of Second and Joint Inventor: Paul Lubock

Executed on 28th day of MAY, 2004.

Inventor's Signature

Residence:


30 Bethany
Laguna Niguel, CA 92677

Citizenship:

U.S.

Post Office Address: (same)